

Californians—are filing taxes and they are all right.

The enforcement division and the enforcement effort is to try to reduce the burden on them. Once we have decided how much money needs to be collected to pay the bills, the more compliance; the higher compliance rates we get, the lower the burden is going to be on everyone.

This is a very important effort. Again, I have great respect for the intent of the amendment but until and unless the administration or someone is able to persuade me that this would not be a good offset, I continue to oppose the amendment.

Mrs. FEINSTEIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### UNANIMOUS-CONSENT AGREEMENT—CHEMICAL WEAPONS CONVENTION

Mr. LOTT. Mr. President, as in executive session, I ask unanimous consent that the agreement entered into on June 28, 1996, with respect to Executive Calendar No. 12 be vitiated.

I further ask unanimous consent that the majority leader, after consultation with the Democratic leader, may turn to the consideration of Calendar No. 12.

Before the Chair rules, I know that the Democratic leader would like to comment, but I would like to comment, too.

First of all, just a little history on this. We worked on both sides of the aisle to come to this unanimous-consent agreement back in June. It was related to the defense authorization bill. We came to an agreement, and I felt compelled to honor that agreement. I fully intended to go to the Chemical Weapons Convention Treaty this morning, to go to conclusion today or tomorrow, as provided under the unanimous-consent agreement.

After consultation with the Democratic leader, and having gotten indications from the administration, including just now from the Secretary of State, that their preference would be at this time that we not proceed with the previous agreement, I have prepared the pending unanimous-consent agreement. I understand their request, and I am prepared to comply with it.

I want to say to the leader that I think we ought to continue working on it. The parties involved who have interest on both sides of the aisle should communicate on amendments, and examine if potential amendments to the resolution of ratification can be worked out. Hopefully that can happen. It may not happen.

We have to recognize the period of time that we are in. There are lots of

interests, and lots of time pressures. The important thing is to be careful what we do and to make sure that we do it the right way with as little partisan rancor as possible. We will keep working with you on that.

I want to emphasize that we are not setting a time certain for a vote on the convention this year. I am not going to be in a position to be intimidated or to have other matters held hostage in an effort to force a vote before we adjourn. To say in the future what we can or can't do in an effort to force a vote would be irresponsible and demonstrate a lack of good faith. It is at the request of the administration that we are not voting tonight on the convention. But I will say—and I think I now have a record to back it up—that I will work with the Democratic leader, and we will see what we can do, and we will keep working to see if agreement between both sides can be reached.

I renew my unanimous-consent request.

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. DASCHLE. Mr. President, let me say that the decision we have made represents our best effort to try to deal with the circumstances we currently have before us. The amendments that are contemplated during the debate on the chemical weapons treaty have not yet been shown to the administration or to Members of this side of the aisle, and for good reasons. They have been working on them, and I do not fault them necessarily for not showing them to us, but we are concerned that the amendments have the opportunity to be considered carefully, that we work with the authors of the legislation over the next few days to see whether we can't resolve the differences that the amendments represent.

The administration is desirous of attempting to find some resolution to those amendments so that we can send a clear message as a country about the importance of this treaty as is possible.

I appreciate very much again the cooperation of the majority leader in coming to this conclusion. I think it is the right one. He and I had anticipated bringing the treaty up this afternoon and having a good debate, but I think a 1-hour time limit under these circumstances may not be the definition of a good debate on issues of this import.

So we will continue to work to continue to try to find ways in which to resolve these differences and, subject to the agreement of both leaders, perhaps bring it up later. It would be my hope that we will bring it up later, but that will be subject, of course, to our success in these negotiations on the amendments themselves and the schedule. But we will address that and issues relating to the treaty at a later day.

So, again, let me thank the majority leader.

Mr. LOTT. Mr. President, I renew my request.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. Two points I would like to make before the leader leaves. We are still requesting additional information with regard to the convention. I have been corresponding with the White House and communicating with the administration. I think that there is additional information that could be obtained and perhaps be declassified. I am going to continue to work on that. I may ask the minority leader to give me a hand with that as part of the ongoing process. I think there is some more information that could be made available and could be declassified which could be helpful on both sides, quite frankly.

The other thing is that we are going to proceed on the Treasury-Postal appropriations bill to try to make some progress on that. I am not going to try to get another unanimous-consent agreement at this point. But it is my intention to keep working on that and come back here after further consultation to see if we can't get some further narrowing of the amendments and some way to complete this bill tonight.

Is that your understanding, or your intention?

Mr. DASCHLE. Mr. President, I just came from a caucus meeting and encouraged our colleagues to come to the floor to offer the essential amendments, to wait for another day to offer those that may not be essential, to agree to time limits, recognizing there is a real possibility we could finish this bill tonight. I would like to work with that goal in mind with the majority leader and with an expectation that we can accommodate Senators' schedules on Friday and on Monday. But we will do our best to see if we cannot get additional cooperation and narrow that list more completely this afternoon.

Mr. LOTT. I thank the Senator very much.

Mr. President, I yield to the Senator from Massachusetts. He has a question.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. I should like to ask the majority leader, if I may, Mr. President, is it my understanding that it is the majority leader's intention to try to work through the amendments with the specific notion of bringing the convention, the treaty, back within the timeframe that we are here in September?

Mr. LOTT. That is not the way I stated it. I gave my assurance that we will continue to work with interested parties on both sides of the issue and to see if amendments could be agreed to or not. It was obvious that to proceed at this time was not the right thing to do.

Mr. KERRY. I understood that.

Mr. LOTT. I am not making a commitment on a specific time or even this September. It will depend on what happens.

Mr. President, while other Senators are conferring, I do want to encourage the managers of this legislation to

keep working to move amendments and to see if we can find a time to get votes. I reiterate, I am not making any commitments on times, and I am not going to be threatened in how we do this. But I am prepared to work in good faith with both sides of the issue and both sides of the aisle, and I think that is all that can be expected of me at this time.

With that, Mr. President, unless there are further questions, I will observe the absence of a quorum so the managers can return to the floor and proceed.

The PRESIDING OFFICER (Ms. SNOWE). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KERRY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

# TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1997

The Senate continued with the consideration of the bill.

## AMENDMENT NO. 5279

Mr. KERRY. Madam President, is there any time remaining?

The PRESIDING OFFICER. There are 5 minutes left to the opposition.

Mr. KERRY. Who is considered the opposition here?

The PRESIDING OFFICER. The Senator from Alabama.

Mr. KERRY. That is the only time remaining?

The PRESIDING OFFICER. That is correct.

Mr. KERRY. Madam President, I ask unanimous consent simply for 1 minute to explain.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts.

Mr. KERRY. Madam President, this is a very straightforward vote on whether or not we are prepared, finally, to include black and smokeless powder in a study by appropriate law enforcement authorities of the United States. A study to determine whether it can contain taggants so that we can investigate pipe bombs and other bombs in the United States. Law enforcement has sought this for 17 years. It is a very simple vote. There is an adequate offset in the IRS. They have cut the bills funding by \$1 billion already. The most that this will cost is \$21 million and of course we hope it will be less, but any argument to the contrary that suggests you cannot find the \$21 million that have been offset here is simply unacceptable. So we ask colleagues to vote for this appropriate study.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Madam President, how much time is remaining?

The PRESIDING OFFICER. The Senator from Alabama has 3½ minutes.

Mr. SHELBY. Madam President, I will be brief on this. We have just been told the administration does not support the offset proposed by the Senator from Massachusetts on this.

I yield the remainder of my time.

I move to table the amendment.

Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion to table. The yeas and nays have been ordered.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. FORD. I announce that the Senator from Arkansas [Mr. PRYOR] is absent because of illness in the family.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 57, nays 42, as follows:

[Rollcall Vote No. 287 Leg.]

## YEAS—57

Abraham	Frist	Mack
Ashcroft	Gorton	McCain
Baucus	Gramm	McConnell
Bennett	Grams	Murkowski
Bond	Grassley	Nickles
Brown	Gregg	Nunn
Burns	Hatch	Pressler
Campbell	Hatfield	Roth
Coats	Heflin	Santorum
Cochran	Helms	Shelby
Cohen	Hutchison	Simpson
Coverdell	Inhofe	Smith
Craig	Jeffords	Snowe
D'Amato	Kempthorne	Specter
DeWine	Kerrey	Stevens
Domenici	Kyl	Thomas
Exon	Leahy	Thompson
Faircloth	Lott	Thurmond
Frahm	Lugar	Warner

## NAYS—42

Akaka	Feingold	Levin
Biden	Feinstein	Lieberman
Bingaman	Ford	Mikulski
Boxer	Glenn	Moseley-Braun
Bradley	Graham	Moynihan
Breaux	Harkin	Murray
Bryan	Hollings	Pell
Bumpers	Inouye	Reid
Byrd	Johnston	Robb
Chafee	Kassebaum	Rockefeller
Conrad	Kennedy	Sarbanes
Daschle	Kerry	Simon
Dodd	Kohl	Wellstone
Dorgan	Lautenberg	Wyden

## NOT VOTING—1

Pryor

The motion to lay on the table the amendment (No. 5279) was agreed to.

Mr. SHELBY. I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Madam President, I ask unanimous consent the pending business be set aside.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXCEPTED COMMITTEE AMENDMENT, BEGINNING ON PAGE 129, LINE 20 THROUGH PAGE 130, LINE 18

Mr. FEINGOLD. Madam President, I intend to move to table the committee

amendment beginning on page 129, and ask that it be in order to consider that committee amendment at this time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LOTT. Madam President, as I indicated, I will move to table the committee amendment that strikes a House provision capping the number of political employees who are appointed by the President. The effect of tabling the committee amendment will be to retain the House language and therefore limit the number of executive branch political appointees.

I am pleased to be joined in this bipartisan effort by both Senators from Arizona, Mr. MCCAIN and Mr. KYL, my neighbor from the neighboring State of Minnesota, Mr. GRAMS, and the Senator from Pennsylvania, Mr. SANTORUM.

Madam President, the House language we seek to retain caps the number of political appointees at 2,300. The CBO estimates that doing so will save \$228 million over the next 6 years. This bipartisan proposal is broadly supported for both its deficit reduction and its policy implications.

Madam President, it has been endorsed by the Citizens Against Government Waste, and similar versions of this provision have been included in the CBO's deficit reduction proposals, as well as the budget assumptions of the other body. The other body passed this exact provision on a vote of 267-150, with strong bipartisan support.

I note that this is a more modest provision than the one the Senate passed last year as part of the fiscal year 1996 Treasury-Postal appropriations bill. At that time, we in this body capped the executive branch political appointees at 2,000, a level that in practice would have required a reduction that would have been 60 percent greater than the reduction we are proposing today, the reduction that has already been approved in the House version of this legislation.

The provision is also consistent with the recommendations of the Vice President's National Performance Review which called for reductions in the number of Federal managers and supervisors. That report argued that over-control and micromanagement not only stifled the creativity of line managers and workers, they "consumed billions per year in salary, benefits, and administrative costs."

Madam President, that assessment is especially appropriate when we think about and look at the issue of political appointees. Between 1980 and 1992, the number of political appointees in our executive branch grew by more than 17 percent, over three times as fast as the total number of executive branch employees. Since 1960, political appointees have grown in this country in the executive branch by a startling percentage of 430 percent. While we have made significant strides in the last few years in slowing and even reversing the growth